

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TEVIN CRUMP, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KENNETH CRUMP,

Respondent-Appellant.

UNPUBLISHED

January 18, 2005

No. 256334

Kent Circuit Court

Family Division

LC No. 03-004701-NA

Before: Smolenski, P.J., and Saad and Bandstra, JJ.

MEMORANDUM

Respondent appeals as of right from the trial court order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (i), and we affirm.

Respondent argues that the trial court erred when it refused to grant an adjournment. However, because respondent did not establish good cause for an adjournment, we hold that the trial court did not err when it refused to grant respondent's request. See MCR 3.923(G).

Respondent maintains that the trial court erroneously terminated his parental rights with respect to the minor child. To terminate parental rights, the court must find that at least one of the statutory grounds for termination listed in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). Once a statutory ground has been established by clear and convincing evidence, the court shall order termination of parental rights unless the court finds from evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 353; 612 NW2d 407 (2000). We review the court's decision for clear error. *Id.* at 356-357.

Because there was clear and convincing evidence that respondent had failed to provide proper care and custody and exposed the child to domestic violence, we hold that the trial court properly found a ground for termination under MCL 712A.19b(3)(g). Respondent made statements that domestic violence that was present in his relationships did not need to be addressed and he made other statements about his belief that there was a lack of need for a treatment plan. Respondent's testimony was sometimes conflicting and it was unclear whether

he had left his current abusive relationship. Our review of the record leads us to conclude that the trial court's findings were not clearly erroneous. Accordingly, we hold that the trial court properly terminated respondent's parental rights with respect to the minor child.

Affirmed.

/s/ Michael R. Smolenski
/s/ Henry William Saad
/s/ Richard A. Bandstra